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IAB CASE NO. FO2273085

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[REDACTED]

SUSPECT INTERVIEW

Adrain McKoy

EXHIBITS

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- B - Complaint report authored by Detective Binder
- C - Supplemental report authored by Deputy Avelar
- D - Two DVD's containing video interviews Suspect McKoy, Witness [REDACTED] and Witness [REDACTED]
- E - Altadena weather report
- F - Photographs of Suspect McKoy's injuries and of the scene

MISCELLANEOUS DOCUMENTS

- In-service for Altadena Station dated September 2 , 2010
- In-service for Crescenta Valley Station dated September 2, 2010
- CCHRS report of Suspect McKoy's criminal history
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Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

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Incident Information									
URN: 9 1 0 - 0 3 1 3 4 - 0 7 9 9 - 1 8 1					Date: 9/2/10		Time: 1344 Hours		
Location:		Marengo Avenue / Montana Street			City or Station:		Pasadena		
Bureau/Station/Facility:		Altadena Station			Admin. Investigation:		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
Type of Force:		Significant Force / Control Holds / Freeze +P Spray / Team Takedown / Suspect Skeletal Fracture / Deputy Injury							
Deputy Injury: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Suspect Injury: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>							
<input type="checkbox"/> Call		<input checked="" type="checkbox"/> Observation		<input type="checkbox"/> Detail		<input type="checkbox"/> Foot Pursuit		<input type="checkbox"/> Vehicle Pursuit	
IAB Notified: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Person Notified: Lt. Alicia Ault		Emp: [REDACTED]		IAB Roll Out: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>			
Involved Employee									
E 1	Employee # [REDACTED]		Last Name: Binder		First Name: Brett		Middle Name: M.		
	Sex: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female		Race: W		Unit of Assignment: FOR I / Altadena Station		Work Assignment (Unit #, Module, etc.): 72		
	Shift: <input type="checkbox"/> EM <input checked="" type="checkbox"/> Day <input type="checkbox"/> PM		<input checked="" type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input type="checkbox"/> Off Duty		Age: [REDACTED]		Height: 600		Weight: 225
	<input type="checkbox"/> Injured <input type="checkbox"/> Treated <input type="checkbox"/> Admitted		Hospital: [REDACTED]		Coroner Case #		Directed Force <input type="checkbox"/>		Significant Force <input checked="" type="checkbox"/>
E 2	Employee # [REDACTED]		Last Name: Avelar		First Name: Laura		Middle Name:		
	Sex: <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female		Race: H		Unit of Assignment: [REDACTED]		Work Assignment (Unit #, Module, etc.): 72		
	Shift: <input type="checkbox"/> EM <input checked="" type="checkbox"/> Day <input type="checkbox"/> PM		<input type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input checked="" type="checkbox"/> Off Duty		Age: [REDACTED]		Height: 502		Weight: 135
	<input checked="" type="checkbox"/> Injured <input type="checkbox"/> Treated <input type="checkbox"/> Admitted		Hospital: [REDACTED]		Coroner Case #		Directed Force <input type="checkbox"/>		Significant Force <input checked="" type="checkbox"/>
E	Employee # [REDACTED]		Last Name:		First Name:		Middle Name:		
	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female		Race:		Unit of Assignment:		Work Assignment (Unit #, Module, etc.):		
	Shift: <input type="checkbox"/> EM <input type="checkbox"/> Day <input type="checkbox"/> PM		<input type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input type="checkbox"/> Off Duty		Age:		Height:		Weight:
	<input type="checkbox"/> Injured <input type="checkbox"/> Treated <input type="checkbox"/> Admitted		Hospital:		Coroner Case #		Directed Force <input type="checkbox"/>		Significant Force <input type="checkbox"/>
Additional Involved Employees <input type="checkbox"/>									
On Duty Supervisor									
Emp # [REDACTED]		Last Name: Robinson		First Name: Danny		Middle Name: L.		Rank: Sgt.	
								Present: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
								Witness to Incident: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
Emp # [REDACTED]		Last Name:		First Name:		Middle Name:		Rank:	
								Present: YES <input type="checkbox"/> NO <input type="checkbox"/>	
								Witness to Incident: YES <input type="checkbox"/> NO <input type="checkbox"/>	
Watch Sergeant									
Emp # [REDACTED]		Last Name: Fomey		First Name: Randall		Middle Name: A.			
Watch Commander									
Emp # [REDACTED]		Last Name: Hahnlein		First Name: Robert		Middle Name: G.			

Sgt. Robert Hahnlein		Watch Commander's Signature: [REDACTED]		Emp #:		Date:	
Sgt. Chad Smeltzer		Supervisor Completing Form: (Print Name)		Emp #:		Copy Provided to Employee by:	
Capt. Steve McLean		Unit Commander (Print Name)		Unit Commander's Signature:		Emp #:	
Unit Commander (Print Name)		Unit Commander's Signature:		Emp #:		Date:	
DISCOVERY Use Only							
FO#							

Supervisor's Report on Use of Force SUSPECT INFORMATION

9 1 0 - 0 3 1 3 4 - 0 7 9 9 - 1 8 1

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S 1

Suspect Information										
Last Name			McKoy		First Name		Adrain		Middle Name	Lamont
AKA Last Name					First Name				Middle Name	
Sex: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female		Race: B	Street Address:			City:		State & Zip Code:		
Work Phone:		Home Phone:	Age: 29	Height: 605	D.O.B. 09/22/1980		Weight: 230	Armed? <input type="checkbox"/>		
Booking #: 2463348		Primary Charge Code: 69 PC		Secondary Charge Code: 11350(a) H&S			Criminal History			
EMT in attendance? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Name: Unit: Phone #:										
Hospital Admission? <input checked="" type="checkbox"/> Rec'd Treatment At: Huntington Memorial Hospital Coroner Case #: Mental History <input type="checkbox"/>										
By Doctor: Dr. Luna Address: 100 W. California Bl., Pasadena 91105 Phone #: 626-397-5054										
Under Influence: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Substance: Mental Illness <input type="checkbox"/>										

S

Suspect Interview									
Date: 09/02/10		Time: 1959 Hrs.		<input checked="" type="checkbox"/> Audiotape: <input type="checkbox"/> Videotape: <input checked="" type="checkbox"/> Photos of Injuries: <input type="checkbox"/>		ADMITS HEARING ANNOUNCEMENTS <input type="checkbox"/>			

Suspect Information										
Last Name					First Name				Middle Name	
AKA Last Name					First Name				Middle Name	
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female		Race:	Street Address:			City:		State & Zip Code:		
Work Phone:		Home Phone:	Age:	Height:	D.O.B.		Weight:	Armed? <input type="checkbox"/>		
Booking #:		Primary Charge Code:		Secondary Charge Code:			Criminal History <input type="checkbox"/>			
EMT in attendance? <input type="checkbox"/> YES <input type="checkbox"/> NO Name: Unit: Phone #:										
Hospital Admission? <input type="checkbox"/> Rec'd Treatment At: Coroner Case #: Mental History <input type="checkbox"/>										
By Doctor: Address: Phone #:										
Under Influence: <input type="checkbox"/> YES <input type="checkbox"/> NO Substance: Mental Illness: <input type="checkbox"/>										

Suspect Interview									
Date:		Time:		<input type="checkbox"/> Audiotape: <input type="checkbox"/> Videotape: <input type="checkbox"/> Photos of Injuries: <input type="checkbox"/>		ADMITS HEARING ANNOUNCEMENTS <input type="checkbox"/>			

S

Suspect Information										
Last Name					First Name				Middle Name	
AKA Last Name					First Name				Middle Name	
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female		Race:	Street Address:			City:		State & Zip Code:		
Work Phone:		Home Phone:	Age:	Height:	D.O.B.		Weight:	Armed? <input type="checkbox"/>		
Booking #:		Primary Charge Code:		Secondary Charge Code:			Criminal History <input type="checkbox"/>			
EMT in attendance? <input type="checkbox"/> YES <input type="checkbox"/> NO Name: Unit: Phone #:										
Hospital Admission? <input type="checkbox"/> Rec'd Treatment At: Coroner Case #: Mental History <input type="checkbox"/>										
By Doctor: Address: Phone #:										
Under Influence: <input type="checkbox"/> YES <input type="checkbox"/> NO Substance: Mental Illness: <input type="checkbox"/>										

Suspect Interview									
Date:		Time:		<input type="checkbox"/> Audiotape: <input type="checkbox"/> Videotape: <input type="checkbox"/> Photos of Injuries: <input type="checkbox"/>		ADMITS HEARING ANNOUNCEMENTS <input type="checkbox"/>			

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
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Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
			58	
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
			17	
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

9 1 - 0 3 1 3 4 - 0 7 9 9 - 1 2 1

(AW) Arwen	(FH) Firearm (Handgun)	(PO) Personal Weapon (Other)
(BC) Baton: (Control)	(FR) Firearm (Rifle)	(RS) Resistance
(BI) Baton: (Impact)	(FS) Firearm (Shotgun)	(CN) Restraint Device (Capture Net)
(BF) Bodily Fluids	(FO) Firearm (Other)	(RH) Restraint Device (Handcuffs)
(CN) Canine	(FB) Flashbang	(HB) Restraint Device: Hobble (Legs Only)
(CR) Carotid Restraint	(FL) Flashlight	(TP) Restraint Device: Hobble (TARP)
(CH) Choke Hold	(OE) Other Weapon: Edged	(RE) Restraint Device: REACT Belt
(CT) Control Holds: (Control Techniques)	(OV) Other Weapon: Vehicle	(SP) Sap
(TT) Control Holds: (Team Takedown)	(OB) Other Weapon: Blunt Object	(SH) Shield
(TD) Control Holds: (Takedown)	(OO) Other Weapon: Other	(SG) 37mm Stinger
(CE) Chemical	(PK) Personal Weapon: Feet/Leg: (Kick)	(SB) Sting Ball
(OC) Chemical Agents (OC Spray)	(PS) Personal Weapon: Feet/Leg: (Sweep)	(ST) Stun Bag
(TG) Chemical Agents (Tear Gas)	(PH) Personal Weapon (Hand/Arm)	(TR) Taser
(EX) Explosives	(PP) Personal Weapon (Push)	(UC) Uncooperative

Type of Injury

(AB) Abrasion	(DB) Dog Bite	(PA) Paralysis
(BR) Bruise	(FR) Fractures	(PW) Puncture Wound
(BU) Burn	(GS) Gunshot	(SD) Soft Tissue Damage
(CP) Complaint of Pain	(HB) Human Bite	(ST) Sprain/Twists
(CO) Concussion	(LC) Lacerations	(UN) Unconscious
(DH) Death	(ND) Nerve Damage	(RM) Refused Med Treatment
(DI) Dislocation	(OD) Organ Damage	(NN) NONE

(AD) Abdomen	(FA) Face	(HI) Hip
(AK) Ankle	(FE) Feet	(IN) Internal
(AR) Arm	(FI) Fingers	(KN) Knees
(BK) Back	(GE) Genitals	(LE) Leg
(BT) Buttocks	(GR) Groin	(NK) Neck
(CH) Chest	(HD) Hands	(NO) Nose
(EL) Elbow	(HE) Head	(SH) Shoulder
		(WR) Wrist

[illegible]

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

SIGNIFICANT USE OF FORCE

- CHEMICAL AGENT
- CONTROL TECHNIQUES
- TEAM TAKEDOWN
- SKELETAL FRACTURE TO SUSPECT
- DEPUTY INJURY

UNIT: ALTADENA STATION

DATE / TIME OF INCIDENT: SEPTEMBER 2, 2010 (THURSDAY) / 1340 HOURS

LOCATION: MARENGO AVENUE / MONTANA STREET,
PASADENA

URN: 910-03134-0799-181

IAB #: FO2273085

SYNOPSIS

On September 2, 2010, at 1340 hours Detective Brett Binder was assigned to uniformed patrol with [REDACTED] Deputy Laura Avelar working unit #72. The deputies attention was drawn to a maroon Ford Crown Victoria traveling in front of their patrol car with improper vehicle registration tabs (February 2010), violation 5204(a) CVC. Detective Binder and Deputy Avelar conducted a traffic stop to contact the sole occupant, male black driver, regarding the violation.

As Detective Binder spoke with Suspect McKoy, he smelled the odor of marijuana emitting from the vehicle's interior. Detective Binder ordered shirtless Suspect McKoy out of the vehicle to locate the source of the odor. Suspect McKoy refused to exit his vehicle. Detective Binder eventually deployed his Freeze +P spray at Suspect McKoy. A struggle ensued between Suspect McKoy and the deputy personnel to overcome Suspect McKoy's uncooperative and resistive behavior resulting in a team takedown. As a result of the team takedown technique, Suspect McKoy received a fractured jaw, abrasions to his knees, a laceration to his chin and burns to his chest and upper arms.

Deputy Avelar received a laceration to the palm of her right hand. Suspect McKoy was transported to Huntington Memorial Hospital for medical treatment. The burns Suspect McKoy sustained during the incident were caused by his bare skin contacting the heated hood of the patrol car and contact with the asphalt road surface. The high temperature on the incident date was approximately one hundred degrees per www.Bing.com [EXHIBIT E].

INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY

Detective Brett M. Binder # [REDACTED]

Date of employment	04-10-96
Date assigned to patrol	[REDACTED]
Completed patrol training	[REDACTED]
Prior shooting incidents	[REDACTED]
Prior founded force incidents	[REDACTED]

Deputy Laura Avelar # [REDACTED]

Date of employment	09-14-05
Date assigned to patrol	[REDACTED]
Completed patrol training	[REDACTED]
Prior shooting incidents	[REDACTED]
Prior founded force incidents	[REDACTED]

SUSPECT INFORMATION

Adrain Lamont McKoy

Male, Black, DOB: 09-22-1980, Booking #2463348, 6' 05", 230 lbs

CII # [REDACTED] MAIN # [REDACTED] FBI # [REDACTED]

Suspect McKoy was arrested for Possession of a Controlled Substance, 11350(a) H&S and Resisting a Peace Officer by Means of Force, 69 PC, related to this incident. His criminal history [REDACTED]

WITNESSES



INJURIES

Suspect McKoy received treatment at Huntington Memorial Hospital. IAB investigators were advised by Dr. Wairiri that Suspect McKoy's burns were superficial, he had a laceration to his chin and his jaw was fractured on the right side. Refer to Suspect McKoy's medical assessment from Huntington Memorial Hospital for more detailed information [EXHIBIT A].

Deputy Avelar sustained an abrasion to the palm of her right hand and was treated at the scene by paramedics.

PHYSICAL EVIDENCE

Digital photographs depicting the incident scene and injuries to Suspect McKoy [EXHIBIT F].

INVESTIGATOR'S OBSERVATIONS

IAB personnel responded to the incident and photographed the scene and injuries Suspect McKoy sustained [EXHIBIT F].

WEAPONS USED BY DEPUTY PERSONNEL

Chemical agent (Freeze +P).

WEAPONS USED BY SUSPECT

Resistance.

PROPERTY DAMAGE

None

CRIMINAL INVESTIGATOR AND CHARGES FILED

Investigator: Detective Richard Pippin, Altadena Station Detective
Charges Filed: Felony, Resisting/Obstructing a Peace Officer, 69 PC on November 8, 2010.

INVOLVED AND WITNESS DEPUTY STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

Detective Brett M. Binder

On October 25, 2010, Detective Brett Binder stated in his IAB Witness interview, he was on routine uniformed patrol with [REDACTED] Deputy Laura Avelar. His attention was drawn to a maroon Crown Victoria displaying expired registration tabs. Detective Binder effected a traffic stop and contacted the sole occupant shirtless driver. Upon contacting the driver, Suspect McKoy, Detective Binder smelled the odor of marijuana coming from the vehicle. Detective Binder asked Suspect McKoy three or four times to exit the vehicle. Suspect McKoy refused Detective Binder's request and told him to get more deputies. Detective Binder told Suspect McKoy that if he did not exit the vehicle, he would be "sprayed", indicating the use of a chemical agent. Suspect McKoy refused to exit the vehicle.

Detective Binder sprayed Suspect McKoy with his Freeze +P spray, as Suspect McKoy turned his head to the right and reached to the floorboard near the center console area. Detective Binder feared Suspect McKoy was retrieving a weapon and opened the driver door and pulled Suspect McKoy from the vehicle by the left arm. Suspect McKoy attempted to pull his arm from Detective Binder's grasp. Deputy Avelar ran from the passenger side of McKoy's vehicle to assist Detective Binder by grabbing Suspect McKoy's right arm. Suspect McKoy attempted to break free of the deputy personnel's grasp by moving toward the patrol car pulling the deputy personnel with him. As the three struggled, Detective Binder held Suspect McKoy's left arm in an elevated armlock position in order to handcuff him, causing Suspect McKoy to bend forward onto the hood of the patrol car. Detective Binder estimated the time Suspect McKoy was exposed to the hood of the patrol car was ten to fifteen seconds.

Detective Binder attempted to retrieve his handcuffs, but dropped them as he struggled to control Suspect McKoy. Detective Binder told Deputy Avelar to take Suspect McKoy to the ground as he used Suspect McKoy's arm as leverage to force him to the ground.

As Suspect McKoy fell chest first, Detective Binder landed with his right knee in Suspect McKoy's upper back and his left knee landed on Suspect McKoy's neck. Suspect McKoy's right hand was underneath him and Detective Binder gripped Suspect McKoy's left hand. Detective Binder could feel Suspect McKoy attempting to push himself up as he ordered Suspect McKoy give up.

Due to Suspect McKoy's resistance, Detective Binder was unable to request assistance via his portable radio until he was on top of Suspect McKoy's back. Detective Binder estimated Suspect McKoy was on the pavement for approximately twenty-five to thirty seconds. Detective Binder with the assistance of Deputy Avelar was able to handcuff Suspect McKoy. Once handcuffed, Detective Binder requested paramedics and stood Suspect McKoy near the trunk of the patrol car so Suspect McKoy could be searched. Detective Binder estimated the temperature at the time of the incident to be one hundred degrees. Detective Binder prepared a complaint report regarding this incident [EXHIBIT B].

Deputy Laura Avelar

On October 25, 2010, Deputy Avelar stated in her IAB Witness interview, she was on an [REDACTED] at Altadena Station with Detective Binder. Deputy Avelar wore civilian clothes with a ballistic vest, possessed her firearm, but she did not possess a portable radio. Once Detective Binder conducted the traffic stop, Deputy Avelar approached Suspect McKoy's vehicle on the passenger side. Deputy Avelar saw Suspect McKoy present Detective Binder with registration paperwork and Detective Binder asked Suspect McKoy to exit the vehicle several times. Deputy Avelar saw Suspect McKoy appeared agitated and she heard him raise his voice stating he was not going to exit the car. Deputy Avelar heard Detective Binder warn Suspect McKoy that if he did not exit the car, Detective Binder would spray him with pepper spray. When she heard Detective Binder tell Suspect McKoy he would be pepper sprayed, Deputy Avelar ran to the driver's side of Suspect McKoy's vehicle to assist Detective Binder.

As Deputy Avelar arrived to Suspect McKoy's driver door to aid Detective Binder, she did not see Detective Binder deploy pepper spray, but she heard Suspect McKoy say "it burns". Detective Binder opened Suspect McKoy's door and pulled Suspect McKoy by the left arm and Deputy Avelar grabbed the suspect's right hand. Suspect McKoy resisted her actions by moving his elbow in a jabbing motion in an attempt to break free from her grasp. Suspect McKoy's actions caused Deputy Avelar to fear Suspect McKoy was attempting to retrieve a weapon from his waistband.

Deputy Avelar said as she and Detective Binder struggled to control and handcuff Suspect McKoy, the three moved toward the patrol car hood. As Deputy Avelar continued attempting to control Suspect McKoy's right arm, he leaned forward over the patrol car hood and moved his shoulders back and forth attempting to break free of Deputy Avelar's grasp.

Deputy Avelar believed Suspect McKoy received the burns to his upper arms as he struggled with the deputies on the hood of the patrol car. Deputy Avelar said Suspect McKoy was strong and Detective Binder told Deputy Avelar to take Suspect McKoy to the ground since they could not control or handcuff him. Throughout the incident Deputy Avelar ordered Suspect McKoy to stop fighting and to place his hands behind his back, but Suspect McKoy refused.

Once Detective Binder told Deputy Avelar to take Suspect McKoy to the ground, the two worked together by controlling Suspect McKoy's arms and using the weight of their bodies to force Suspect McKoy to the ground. Suspect McKoy fell face down. Deputy Avelar fell to the ground while maintaining control of Suspect McKoy's right arm. Once Suspect McKoy was on the ground he yelled for people in the neighborhood to help him. Deputy Avelar did not recall Suspect McKoy yelling that his skin was burning on the hood of the patrol or on the ground.

While on the ground Suspect McKoy's right hand was underneath his body and Deputy Avelar believed he was continuing his attempt to retrieve a weapon from his waistband area. Working together against Suspect McKoy's resistance, Detective Binder and Deputy Avelar were able to handcuff Suspect McKoy. Deputy Avelar estimated that Suspect McKoy was face down on the pavement for "seconds", and that she could not see how Detective Binder's knees were positioned on Suspect McKoy. Deputy Avelar said that Suspect McKoy never went unconscious and was resisting at every point of the struggle. Deputy Avelar was unaware at what point during the struggle Suspect McKoy's jaw was fractured. Deputy Avelar sustained a laceration to her right palm during the struggle and described the temperature at the time of the incident as warm. Deputy Avelar prepared a supplemental report regarding this incident [EXHIBIT C].

CIVILIAN WITNESSES

The following statement was based on an audio taped interview conducted by IAB Sergeant Victor Allen # [REDACTED] after the incident occurred.

[REDACTED]

[REDACTED] told IAB investigators he was preparing to go to work when he heard a voice yelling. Mr. [REDACTED] walked to his front porch and saw Suspect McKoy laying face down on the street with Detective Binder positioned on Suspect McKoy's shoulders and neck. Deputy Avelar was holding Suspect McKoy's feet. Suspect McKoy was yelling for help. Mr. [REDACTED] could see that Suspect McKoy was shirtless and heard him yelling that he was burning. Mr. [REDACTED] estimated that Suspect McKoy was laying on the street for five to ten minutes. Mr. [REDACTED] said Suspect McKoy was not resisting as he was handcuffed. Mr. [REDACTED] did not witness any of the events leading up to Suspect McKoy laying on the street.

The following statements were based on video taped interviews conducted by Altadena Sergeant Danny Robinson # [REDACTED] immediately after the incident occurred. Witness [REDACTED] and [REDACTED] interviews [EXHIBIT D] follow an initial interview of Suspect McKoy and was captured on two separate video files.

[REDACTED]

[REDACTED] said he was standing approximately [REDACTED] houses north of where the incident took place. He saw the traffic stop and heard screaming from Suspect McKoy. Mr. [REDACTED] ran to the area of the traffic stop and saw Suspect McKoy on the ground wrestling with the deputies. Mr. [REDACTED] saw Suspect McKoy was shirtless and heard him yelling that the ground was hot. Mr. [REDACTED] could see that Suspect McKoy attempted to get up, and Detective Binder kned him in the face to keep him from rising off the ground. At the time Mr. [REDACTED] began observing the incident Suspect McKoy was on the ground. Mr. [REDACTED] said he did not see the deputies hit Suspect McKoy during the incident. Mr. [REDACTED] gave limited identifying information and could not be located for further interview [EXHIBIT D].

[REDACTED]

[REDACTED] said she heard Suspect McKoy yelling that he was burning and that she saw Detective Binder had a knee on Suspect McKoy's face. Ms. [REDACTED] refused to provide any further identification or any further statements [EXHIBIT D].

SUSPECT McKOY'S STATEMENT

Suspect McKoy was interviewed by IAB investigators at Huntington Memorial Hospital approximately six hours after the incident. Suspect McKoy said he was driving a car that he had purchased approximately two hours prior to the incident. During a traffic stop, Detective Binder contacted him at the driver door. Suspect McKoy provided Detective Binder with his identification and the vehicle registration papers. Suspect McKoy said Detective Binder told him to "Get out of the car". Suspect McKoy said he asked Detective Binder why he needed to exit the car?

Suspect McKoy admitted to failing to exit the car as he was instructed to. Suspect McKoy said Detective Binder opened the driver door, unlatched his seatbelt and warned Suspect McKoy he would be pepper sprayed if he did not exit his vehicle. Suspect McKoy said he began to exit the vehicle, but was pulled from the car by Detective Binder. Once out of the car, Suspect McKoy said he was placed on the ground. The deputy personnel then picked Suspect McKoy off of the ground, handcuffed him and shoved him toward the patrol car and pushed onto the hood of the patrol car.

IAB Note: In Suspect McKoy's initial statement captured on video by Field Sergeant Danny Robinson # [REDACTED] Suspect McKoy did not state he was handcuffed in the initial stages of the struggle, as stated to IAB investigators [EXHIBIT D].

Suspect McKoy said he was then pushed face first into the hood of the patrol car by the deputy personnel and held down by Detective Binder's arm. While on the hood of the patrol car, Suspect McKoy said his skin burnt from the heat of the hood.

Suspect McKoy said he pleaded to be removed from the hood of the patrol car and was not resisting. Suspect McKoy said he kneeled on the ground, but then was pushed from behind causing him to strike his chin on the curb. While on the ground, Suspect McKoy said he was then kneed in the face by Detective Binder causing him to pass out for three or four seconds. While Suspect McKoy was on the pavement, his skin continued to burn and Deputy Avelar sat on his feet.

Suspect McKoy said only the arresting deputies used force on him and that six or eight deputies arrived after the incident concluded.